

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **HB 132** HLS 09RS 1000  
Bill Text Version: **ENROLLED**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.:

<b>Date:</b> June 24, 2009	5:50 PM	<b>Author:</b> GEYMANN
<b>Dept./Agy.:</b> Corrections		
<b>Subject:</b> Crime		<b>Analyst:</b> Kristy F. Gary

CRIME EN INCREASE GF EX See Note Page 1 of 1  
Amends provisions of law regarding second degree murder

The proposed legislation provides that the distribution or dispensing of all controlled substances and combinations of those substances are included in the definition of second degree murder.

Present law provides that second degree murder is the killing of a human being when the offender unlawfully distributes or dispenses a controlled dangerous substance listed in Schedules I or II of the Uniform Controlled Dangerous Substances Law, or to another person who distributes or dispenses the controlled dangerous substance which is the direct cause of the death of the recipient or the person who ingested or consumed the controlled dangerous substance.

Proposed law changes present law to include Controlled Dangerous Substances in Schedules I through V or any combination of those substances.

EXPENDITURES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
Annual Total	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

REVENUES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
Annual Total	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

EXPENDITURE EXPLANATION

Proposed legislation could result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, as it is not possible to know how many people will be convicted of this crime by amending the elements to the crime. However, expenditures could increase by \$54.53 per day per offender sentenced to the custody of the Department of Public Safety and Corrections (assuming state inmates are housed in a state institution).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate  
☐ 13.5.1 >= \$500,000 Annual Fiscal Cost  
☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House  
☐ 6.8(F) >= \$500,000 Annual Fiscal Cost  
☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

**Robert E. Hosse**  
**LFO Staff Director**